



Applying for a Virginia Public Waterworks Operation Permit

Guidelines and Application Form

Effective August 1, 2007



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STOP! If you are planning to construct or change the water sources, treatment, storage, or distribution system of an existing Virginia waterworks for which you already have a valid Waterworks Operation Permit, refer to the Office of Drinking Water guidance manual "Applying for a Virginia Public Waterworks Construction Permit." This document can be obtained from the Field Office for your region, or by download at www.vdh.virginia.gov/drinkingwater.

Introduction

Owning and operating a public waterworks is a tremendous responsibility. In order to ensure that all public waterworks owners are aware of the seriousness and importance of their duties and obligations, the *Code of Virginia* has formalized the process for obtaining a waterworks operation permit. The application process is designed to verify that all prospective owners have adequate technical, managerial, and financial capacity to reliably produce and deliver abundant, pure drinking water to consumers.

Technical capacity is seen in the physical elements of a waterworks – its water source and infrastructure – and in the knowledge and skill needed to properly operate the facility. Managerial capacity is evident in a waterworks' planning and organizational expertise. Financial capacity is marked by the waterworks' ability to generate sufficient revenue to meet operational, maintenance, or expansion costs.

The technical, managerial, and financial elements that constitute capacity are interdependent, and all three elements are essential for ensuring the viability of a public water supply. Strength or weakness in one element of capacity can in turn either reinforce or impair the other elements. For example, a community waterworks that demonstrates strong financial capacity by setting adequate service rates is in turn able to make appropriate plans for future infrastructure maintenance.

The Virginia Department of Health Office of Drinking Water (ODW) has prepared this guide to assist you with the five-step process for obtaining a waterworks operation permit. The five steps include

- Step 1. submitting a **Waterworks Permit Application Form**
- Step 2. participating in a **Preliminary Engineering Conference (PEC)**
- Step 3. developing a **Waterworks Business Operations Plan**
- Step 4. submitting a **Preliminary Engineering Report (PER)**, and
- Step 5. submitting **Plans and Specifications** to obtain a Waterworks Construction Permit.

You can also receive assistance with any stage of the application process by contacting the ODW Field Office serving your region. **You should contact the Field Office to determine which steps of the application process will apply to your situation.**

Submitting this application fulfills Step 1 of the five-part application process.

Frequently Asked Questions

Is the waterworks I am proposing to build or purchase a public drinking water system?

If the waterworks serves piped water for drinking or domestic use to at least 15 connections, or to an average of 25 or more individuals for at least 60 days out of a year, or to the public, it is a public waterworks. A waterworks operation permit is required.

There are three types of public waterworks. **Community** waterworks serve at least 15 residential connections, or at least 25 residential consumers. Community systems often also provide service to a mix of residential and non-residential connections, such as school or businesses. These waterworks provide service to mobile home parks, subdivisions, towns and municipalities, and correctional institutions or long-term care facilities.

A **nontransient noncommunity** waterworks provides service 25 or more of the same persons for six months or more each year. Examples include waterworks at schools and factories.

Transient noncommunity waterworks provide water to 25 or more individuals daily, but the individuals served vary each day. Restaurants, campgrounds, marinas, and hotels with their own water systems may be classified as transient noncommunity water supplies.

Regulatory requirements vary, depending on waterworks type. If you are unsure what type of waterworks you will be building or purchasing, contact the ODW Field Office for your region.

Do I need to have a waterworks operation permit if I obtain water to serve to my customers from another water system?

If you obtain all drinking water service from a regulated waterworks, and you do not resell or retreat the water, you do not need a waterworks operation permit. If you are considering constructing or purchasing a waterworks, ODW encourages you to first contact waterworks in the vicinity of your service area, to determine whether connection to existing water service is feasible.

Can I buy an existing waterworks?

Yes, but you need to contact the ODW Field Office in your region before taking action. You should also contact the State Corporation Commission (SCC). In Virginia, waterworks operation permits are not transferable, and you will be required to submit an application, and may be required to submit waterworks business operations plan. The SCC may also require its approval before waterworks assets can be transferred. For more information on asset transfer, contact the SCC's Division of Public Utility Accounting at (804) 371-9950.

Do I have to contact the State Corporation Commission?

If your waterworks serves or will serve 50 or more customers (connections), you must apply to the State Corporation Commission (SCC) for a certificate of public convenience and necessity. You should contact the SCC's Division of Energy Regulation at (804) 371-9611 as early as possible in your planning process.

Will I need professional services?

You probably will need engineering, surveying, legal, and accounting services. Before you incur costs for these services, you should contact or schedule a visit with the ODW Field Office in your region. ODW staff will discuss with you the demands of the drinking water business and provide you with information that will be helpful in your decision-making process.

Am I required to submit a waterworks business operations plan?

If you are constructing a new waterworks, or purchasing an existing waterworks, you must submit a Waterworks Business Operations Plan (Operation Permit Application Step 3) if you are a potential first-time owner of a public waterworks in Virginia. If you currently own or have previously owned a Virginia waterworks, ODW will advise you if a Waterworks Business Operations Plan is required. Normally, those owners demonstrating a history of compliance will not be required to complete this step of the operation permit application. Owners may be required to develop a Waterworks Business Operations Plan during enforcement procedures, or when they apply to ODW financial and construction assistance programs.

Every waterworks can profit from thoughtful business planning, even if a Waterworks Business Operations Plan is not required to obtain an operation permit. Developing a business plan will help you understand the waterworks' infrastructure assets, evaluate staffing needs, establish an effective budget, and assist with long-range planning. A sound business plan will improve the technical, managerial, and financial capacity of your facility. For more information on developing a plan, you can obtain a copy of the ODW publication "Guidelines for Completing a Waterworks Business Operations Plan" from the ODW Field Office, or by downloading a copy at www.vdh.virginia.gov/drinkingwater.

Will my waterworks require a licensed operator?

ODW classifies waterworks based on their size, the size and nature of the population served, and the complexity of the water treatment processes used. Staffing requirements are in turn based on the classification of the facility. All community and nontransient noncommunity waterworks must be staffed by qualified licensed operators. Most transient noncommunity waterworks do not require a licensed operator, unless they use complicated forms of water treatment. The Virginia Department of Professional and Occupational Regulation licenses and regulates waterworks operators, and can provide more information at (804) 367-2176.

What is my first step toward obtaining a waterworks operation permit?

Begin by contacting the ODW Field Office in your region. ODW staff will determine which steps of the five-step application process apply to your situation. Then, complete and submit the Permit Application Form on Page 8 of this manual. In addition, you need to contact your local planning and zoning offices to obtain any local permits.

What can I expect to happen during the application process?

The application process and the planning it will require will help you assure successful, long-term delivery of drinking water. You will be able to make informed decisions regarding whether to build or purchase a waterworks or to pursue other alternatives. You will enhance your knowledge of the waterworks by preparing a Preliminary Engineering Report and a Waterworks Business Operations Plan. And your planning will provide a road map for the business's future. An overview of the application process is provided in the section below.

Is there a fee for ODW to process my permit application?

No.

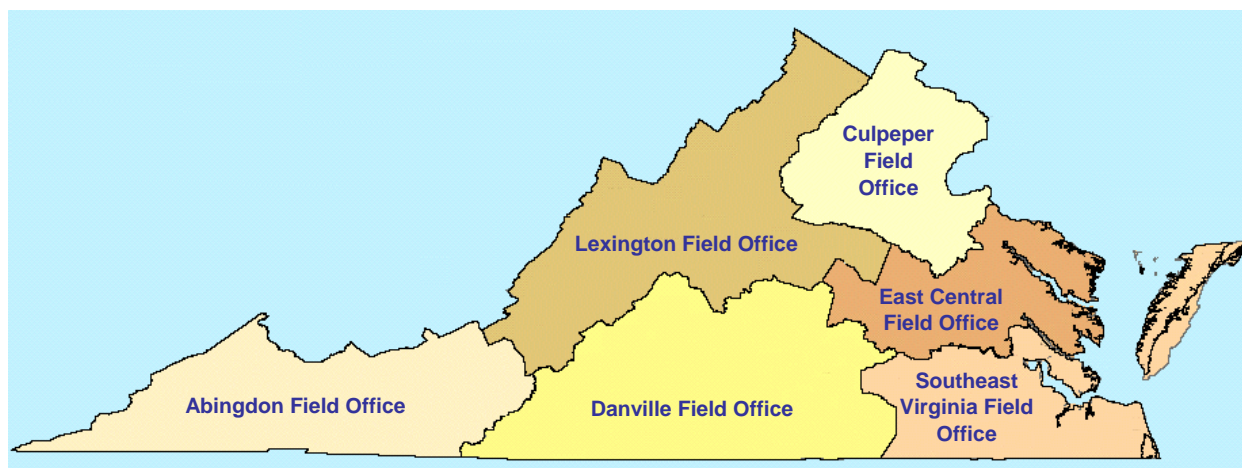
Other Permits and Approvals

For new construction, separate applications or approvals are often required by local governments to authorize zoning, and by other state agencies. In particular, you may need to obtain a permit from the Virginia Department of Environmental Quality (DEQ) for withdrawal of source water or for discharging water treatment waste.

If the proposed construction will enable your waterworks to provide service to 50 or more customers (connections), you must apply to the State Corporation Commission (SCC) for a certificate of public convenience and necessity.

Contact the ODW Field Office for your region for more information on additional permits you may need.

Field Office Locations



ODW Field Offices	Service to...
Abingdon Field Office 454 East Main Street Abingdon, VA 24210 Phone (276) 676-5650 Fax (276) 676-5659	The counties of Bland, Buchanan, Carroll, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe, and the cities of Bristol, Galax, Norton, and Radford
Lexington Field Office 131 Walker Street Lexington, VA 24450 Phone (540) 463-7136 Fax (540) 463-3892	The counties of Albemarle, Alleghany, Augusta, Bath, Botetourt, Clarke, Craig, Fluvanna, Frederick, Greene, Highland, Louisa, Nelson, Page, Roanoke, Rockbridge, Rockingham, Shenandoah, and Warren, and the cities of Buena Vista, Charlottesville, Covington, Harrisonburg, Lexington, Roanoke, Salem, Staunton, Waynesboro, and Winchester
Southeast Virginia Field Office 830 Southampton Avenue Norfolk, VA 23510 Phone (757) 683-2000 Fax (757) 683-2007	The counties of Accomack, Dinwiddie, Greensville, Isle of Wight, James City, Northampton, Prince George, Southampton, Surry, Sussex, and York, and the cities of Chesapeake, Colonial Heights, Emporia, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg
East Central Field Office 300 Turner Road Richmond, VA 23225 Phone (804) 674-2880 Fax (804) 674-2815	The counties of Charles City, Chesterfield, Essex, Gloucester, Goochland, Hanover, Henrico, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Powhatan, Richmond, and Westmoreland, and the city of Richmond
Danville Field Office 1347 Piney Forest Road Danville, VA 24540 Phone (434) 836-8416 Fax (434) 836-8424	The counties of Amelia, Amherst, Appomattox, Bedford, Buckingham, Brunswick, Campbell, Charlotte, Cumberland, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nottoway, Patrick, Pittsylvania, and Prince Edward, and the cities of Bedford, Danville, Lynchburg, Martinsville, and South Boston
Culpeper Field Office 400 South Main Street Culpeper, VA 22701 Phone (540) 829-7340 Fax (540) 829-7337	The counties of Arlington, Caroline, Culpeper, Fairfax, Fauquier, King George, Loudoun, Madison, Orange, Prince William, Rappahannock, Spotsylvania, and Stafford, and the cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas, and Manassas Park

Application Process Overview

The five-step application process builds upon each previous step, and allows a smooth progression to the issuance of permits to construct, modify, or operate a waterworks. The five steps that build a complete application are:

STEP 1 - Permit Application Form

This step is submitted to ODW before any other action. The form must be filed by any person desiring to construct, modify, or operate a waterworks, and it initiates the entire application process. It is required by Virginia statute. The Permit Application Form begins on [Page 7](#).

STEP 2 - Preliminary Engineering Conference (PEC)

For constructing a new waterworks, or expansion of an existing waterworks, the PEC is a feasibility discussion that establishes the project's direction and scope. The PEC dialog is also invaluable for prospective owners who intend to purchase an existing waterworks. The conference provides for an exchange of information between all parties, during which the envisioned construction project or purchase will be discussed in its entirety. The discussion can reveal potential problems with anticipated waterworks design or operation.

For new construction, any potential design exceptions to the Virginia *Waterworks Regulations* should be proposed at this step. Design exceptions, whether approved or not, can impact development of the materials for other steps in the application process.

The discussion will also focus on the owner's ongoing responsibilities and regulatory requirements, which will help determine if the project or purchase is feasible. At this stage, preliminary review of a draft business plan may be useful. The need to obtain permits and authorizations from other state agencies, such as those needed from DEQ for water withdrawal permits, should be discussed during the PEC.

STEP 3 - Waterworks Business Operations Plan

A Waterworks Business Operations Plan is required from new owners of a waterworks. If you already own a public waterworks in Virginia, you will be notified if a plan is needed for the proposed construction or purchase.

Waterworks Business Operations Plans are normally submitted in completed form along with the Preliminary Engineering Report (PER). Business plans should be prepared by a certified public accountant or professional engineer. With prior approval by ODW, the business plan may be prepared by a competent individual with considerable knowledge of the waterworks.

For more information on developing a business plan, see the ODW publication "Guidelines for Completing a Waterworks Business Operations Plan." Copies are available from the ODW Field Office, or by downloading a copy at www.vdh.virginia.gov/drinkingwater.

STEP 4 - Preliminary Engineering Report (PER)

This detailed report must be prepared by a professional engineer licensed in Virginia for any new construction or modification of an existing waterworks. Some PER items may overlap with items in the Waterworks Business Operations Plan, which is why we recommend that these documents be submitted together. The PER should be submitted to the ODW Field Office in your region for approval **before** plans and specifications are developed. Consulting engineers should refer to §§12 VAC 5-590-200 and 640 of the Virginia *Waterworks Regulations* for technical submission requirements and content. All requests for design exceptions must be approved by VDH before proceeding to the next step.

STEP 5 - Final plans and specifications

These construction documents are prepared by a professional engineer licensed in Virginia. Refer to the *Waterworks Regulations* for submission requirements.

The chart below illustrates the major milestones in the application process for building or purchasing a waterworks. Each action requires concurrence and approval from ODW before proceeding to the next step. Use this chart to track the progress of your application. Some items may not be needed for every waterworks, and this checklist does not cover applications or approvals required by local governments or other state agencies. These authorizations may include permits for withdrawal of source water or for discharging water treatment waste. Approvals are also required by the State Corporation Commission for waterworks that will serve 50 or more customers (connections).

	Action Step	Performed or attended by...	Date Completed
Planning	1. Submit Permit Application Form	Owner	
	2. Attend Preliminary Engineering Conference(PEC)	Owner, ODW staff, consulting engineer	
	3. Source site inspection	Owner, ODW staff, appropriate consultant (professional engineer, well driller, etc.), representatives from other state or local governmental agencies as needed	
	4. Tentative source site approval (in writing to owner)	ODW staff, representatives from other state or local governmental agencies as needed	
	5 Business plan submittal	Owner, appropriate consultant (professional engineer or certified public accountant, or ODW-approved preparer)	
	6. Preliminary Engineer's Report (PER) submittal	Professional engineer	
	7. Plans and specification, design criteria submittal	Professional engineer	
	8. Recorded plat	Surveyor	
	9. Recorded dedication document	Owner	
	10. Cross connection and backflow prevention program	Owner	
	11. Compliance sampling plans	Owner	
Construction	12. Construction permit issuance	ODW staff	
	13. Construction inspections and testing	Professional engineer	
	14. Source development sample collection	Owner or contractor	
	15. Operator employed	Owner	
	16. Statement of Completion submitted	Professional engineer	
	17. Final inspection	ODW staff, owner, professional engineer	
Long-term Operation	18. Operation permit issuance	ODW staff	
	19. Annual Permit fee payment	Owner	
	20. Ongoing compliance sample collection	Owner	
	21. Ongoing report submittal to VDH (business plan and monthly operating reports)	Owner	



Commonwealth of Virginia
Department of Health Office of Drinking Water

WATERWORKS PERMIT APPLICATION

Instructions: This form can be completed online, or a blank form can be printed to complete manually. If completing online, print, sign, and date the form before mailing or faxing to the Office of Drinking Water Field Office in your region. Retain a copy of the completed form for your records.

Permit type: Construction: New ☐ Repair ☐ Modify ☐ Extend ☐
Operation: ☐ (for ownership transfer of facilities already in existence)
Previous owner: Transfer date:

Waterworks name (if any):

State assigned **PWS Identification Number** (if any):

City/County:

Water Source: Surface water ☐ Name
Groundwater: Well ☐ Spring ☐
Purchased (from another public waterworks for resale) ☐
Name of wholesaling waterworks:

Proposed **number of connections** and type (residential, commercial, institutional):

Description of proposed work (for new construction):

I am associated, directly or indirectly, with the following waterworks in Virginia (name and PWS ID):

I am aware of needed local government approvals including zoning: YES ☐ NO ☐

I am aware that permits may be needed for water withdrawal or waste discharge permits: YES ☐ NO ☐

I have contacted the State Corporation Commission (community waterworks serving 50+ connections): YES ☐ NO ☐

Please schedule a Conference for the week of , 20 .

Applicant Name (legal owner): Position/Title/Office:

Address:

Phone:

I hereby certify that by signing and submitting this application to the Virginia Department of Health the subject water system is or shall become a waterworks as defined by § 12 VAC 5-590-10 of the Virginia *Waterworks Regulations*, and as the waterworks owner I shall comply with the Virginia *Waterworks Regulations*.

Applicant Signature

Date